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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/635,559	08/07/2003	Shyh-Jier Gau	MR1679-246	8585
4586	7590	02/10/2005	EXAMINER	
ROSENBERG, KLEIN & LEE 3458 ELLICOTT CENTER DRIVE-SUITE 101 ELLICOTT CITY, MD 21043			LONEY, DONALD J	
			ART UNIT	PAPER NUMBER

1772

DATE MAILED: 02/10/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/635,559

Applicant(s)

GAU, SHYH-JIER

Examiner

Donald Loney

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-6 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 4 and 5 is/are allowed.
- 6) ☒ Claim(s) 1-3 is/are rejected.
- 7) ☒ Claim(s) 6 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_.

## **DETAILED ACTION**

### ***Claim Rejections - 35 USC § 112***

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claims 1-3 and 6 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In claim 1, lines 2 and 3 it is unclear as to what the number of meshes refers to. As worded, it appears that it is the number of tubes in line 2. However, from the specification and claim 4, it can be understood that the meshes (221 in the figures) and tubes (231,232) are two separate entities. Correction as to these being separate structures is kindly requested. Claim 6, lines 3 and 4 contain an improper Markush group. Proper language is either 1) selected from the group consisting of A, B and C or 2) selected from A, B or C. Correction is kindly requested.

### ***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-3 are rejected under 35 U.S.C. 103(a) as being unpatentable over EP 1041105 to Watanabe et al in view of Hosono et al (5134021).

Watanabe et al discloses an anti-fog film 3 coated on a substrate 2. The anti-fog layer has a thickness of 10-200nm. The substrate has a thickness of .15-1.0mm. The anti-fog film contains a sucrose fatty acid ester, alcohol and water as recited. There is also a silicon stripping film 4 on the other side of the substrate. Refer to figure 1 and column 1, lines 52-58, column 2, lines 1-45, column 3, lines 21-44 and column 5, lines 11-18. Watanabe et al discloses using a corona discharge treatment of the substrate before applying the anti-fog film (column 6, lines 1-10). This is done in order to roughen the surface of the film (i.e. provide capillaries as recited) to better provide adhesion of the film to the substrate. Watanabe et al does fail to teach the 100-150 meshes formed in both surfaces of the substrate, which are provided by roller 34 to the substrate. This is also done to provide a rough surface for increased adhesion thereto.

Hosono et al teaches it is known to roughen the surface of a substrate before applying an anti-fog layer in order to provide better adhesion of the film to the substrate. Refer to the Abstract and column 4, lines 41-45.

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to Watanabe et al to also provide meshes to the substrate, as taught by Hosono et al, in order to roughen the surface of the film twice in order to provide better adhesion thereto motivated by the fact the references teach to roughen the substrate for this purpose. It also would be obvious to provide the roughness to both surfaces of the film for the same reason since the other surface has a stripping film 4 attached thereto as show in figure 1 of Watanabe et al. The specific

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properties of the film are deemed inherent in the prior art since it is formed of the same components as recited by the applicant.

***Allowable Subject Matter***

5. Claims 4 and 5 are allowed.

6. Claim 6 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.

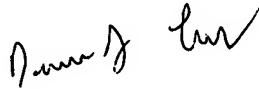
7. The following is a statement of reasons for the indication of allowable subject matter: The claims above are deemed allowable over the prior art since the prior art fails to teach a process of forming an anti-fog sheet wherein the base sheet is extruded, then sent through a roller machine with 100-150 meshes in order to form a coarsened surface, then sending the film through rolls in a corona machine in order to form capillary tubes therein, then coating the film with the recited coatings on opposite sides, then drying, cooling and using a take up wheel to roll it up.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Donald Loney whose telephone number is (571) 272-1493. The examiner can normally be reached on Mon, Tues, Thurs and Fri. 8AM-4PM, flex schedule.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Harold Pyon can be reached on 571 272-1498. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
Donald Loney  
Primary Examiner  
Art Unit 1772

DJL:D.Loney  
02/07/05